



**OFFICE OF THE FEDERAL OMBUDSPERSON
FOR PROTECTION AGAINST HARASSMENT OF WOMEN
AT THE WORKPLACE, ISLAMABAD**

FORM OF ORDER SHEET

Complaint No. FOH-HQR-H/0654/2025

Ms. Shabana Ayub

V/S

Mr. Muhammad Tauseef Khawar & others

Date of Institution: 11-12-2025.

**Name of Organization: Ministry of Foreign Affairs, Islamabad
(Harassment)**

Date: 12/05/2026

Sr. No: 11

FINAL ORDER

1. *The instant complaint has been filed by Ms. Shabana Ayub (hereinafter referred to as the "Complainant"), against Mr. Muhammad Tauseef Khawar (hereinafter referred to as the "Accused"), under Section 2(h) read with Section 8 of the Protection Against Harassment of Women at the Workplace Act, 2010 (hereinafter "the Act"). The complaint was instituted on 11-12-2025 and pertains to an incident that allegedly occurred on 25-11-2025 at the Ministry of Foreign Affairs, Islamabad.*
2. *At the outset, it is relevant to note that the Complainant and the Accused are legally wedded spouses, and their matrimonial relationship remains subsisting. Out of this wedlock, the parties have a daughter, who is a special child. The Complainant holds the post of Assistant Director (PAC), Audit Directorate, Ministry of Foreign Affairs, Islamabad, while the Accused holds the post of Accounts Officer, Chief Accounts Officer (CAO), in the same Ministry. Both parties are, therefore, co-workers within the same organization.*

3. It is further noted that prior to the commencement of the present proceedings on merits, an application was filed by the Accused challenging the maintainability of this complaint. The said application was duly heard by this Forum and was dismissed vide Order dated 16-01-2026, thereby holding that the complaint is maintainable and that the allegations, if established, fall within the ambit of Section 2(h)(ii) of the Act. The proceedings thereafter proceeded on merits. The following excerpt from para 15 and 16 is hereby reproduced below for reference:

“Lastly, this Forum cannot decline to entertain or adjudicate complaints of harassment, gender-based discrimination, or hostile work environment merely on the ground that the parties stand in a matrimonial relationship. To hold otherwise would set a dangerous and untenable precedent, effectively opening the floodgates for any spouse to intrude into the workplace of his/her spouse, subject him/her to harassment, physical assault, verbal abuse, humiliation, and intimidation, and create a hostile work environment with impunity, thereby defeating the very object, spirit, and protective mandate of the Protection against Harassment of Women at the Workplace Act 2010.

For the foregoing reasons, I am not persuaded by the preliminary objection raised on behalf of the Accused. The contention that the complaint is not maintainable under Section 2(h) of the Act, 2010 is hereby rejected.”

4. The Complainant, in her complaint filed on 08-12-2025, alleged that on 25-11-2025, during official duty hours, while she was seated at her desk in the PAC Section, Audit Directorate, Ministry of Foreign Affairs, and was engaged in an official telephone call with the HBL helpline, the Accused stormed into her office without any official purpose or invitation. The Complainant alleged that the entire episode unfolded in the presence of subordinate staff members. Specifically, the Complainant alleged that the Accused:
- (i) Hurlled a file/paper directly at her face with force;
 - (ii) Used highly derogatory, abusive and filthy language against her, demeaning her dignity as a woman and as a public servant;

- (iii) *Brutally assaulted her by repeatedly beating her with his shoe on her head and face;*
 - (iv) *Twisted her arm/elbow with extreme force, causing severe pain;*
 - (v) *Tore her clothes in front of staff members against her will;*
 - (vi) *Threatened to kill her;*
 - (vii) *Destroyed office furniture and scattered official files; and*
 - (viii) *Disconnected office telephone lines and snatched her mobile phone to prevent her from seeking help.*
5. *The Complainant further averred that the episode of 25-11-2025 was not an isolated incident; that in early 2020, the Accused had physically assaulted her, which had gone unpunished. It was further alleged that on 25-11-2025 itself, the Complainant approached the Police Station Secretariat, G-5, Islamabad, to lodge an FIR against the Accused, however, the police officials declined to register the FIR. The Complainant also filed a departmental complaint addressed to the Foreign Secretary and the CAO, Ministry of Foreign Affairs, on 26-11-2025, requesting an inquiry under the E&D Rules, 1973 and the Harassment Act, 2010, which is stated to be pending disposal.*
 6. *The Complainant deposed as PW-1 and produced two witnesses: Ms. Iqra (PW-2) and Mr. Muhammad Irfan (PW-3). In support of her case, the Complainant also produced documentary exhibits including photographs (Mark-1 to Mark-4) stated to have been taken of her injuries, a copy of the application to police, and the departmental complaint to the Foreign Secretary. The Complainant sought inter alia a major penalty of compulsory retirement or dismissal of the Accused from service, monetary compensation of Rs. 50,000,000/-, and an order directing the Ministry to recover the compensation from the salary/pension of the Accused.*
 7. *In response to the complaint, the Accused submitted a written defense, categorically denying all allegations of physical assault, injury, and unlawful conduct. The Accused contended, inter alia, as follows:*
 - (i) *That on 25-11-2025, he visited the office of the Complainant briefly at approximately 11:40 a.m.; that the said visit was personal in nature and was not aggressive or unlawful in any manner; that a verbal exchange did take place*

between the parties, but the same was momentary and entirely domestic in character, arising out of their matrimonial relationship;

(ii) That no physical assault, injury, or use of force occurred at any stage; that no injuries, bruises, torn clothes, or any signs of violence were reported or observed by the Police when they were subsequently approached; and that no medical examination was ever conducted by the Complainant;

(iii) That there is no CCTV footage, medical record, or eyewitness account supporting the allegation of assault; that the allegations of injury and torn clothes were conspicuously absent from the Complainant's own police report and were not mentioned therein;

(iv) That the Complainant had made a voluntary compromise statement before the police, thereby resolving the matter amicably; and that on multiple occasions, it was the Complainant herself who displayed violent and aggressive conduct within official premises, including acts of shouting, intimidation, and destruction of official property;

(v) That despite repeated provocation and aggressive conduct by the Complainant, the Accused, being a responsible Foreign Office Officer, always opted for reconciliation and compromise to preserve marital harmony and family dignity; and

(vi) That the matter between the parties is purely matrimonial in nature and does not fall within the purview of the Harassment Act, 2010, as the alleged conduct did not arise out of an employer-employee, supervisory, or workplace authority relationship but exclusively out of their matrimonial relationship. In support of this contention, reliance was placed on the doctrines of res judicata, estoppel, double jeopardy, and abuse of process of law.

- 8. In support of his defense, the Accused recorded his evidence as DW-1 and produced documentary evidence including the compromise statement recorded before the police and the preventive proceedings initiated under Sections 107/150 Cr.P.C. The Accused did not produce any oral witnesses. The Accused prayed for dismissal of the complaint with heavy costs.*

9. *Arguments of the learned Counsel for both parties were heard at length and the available record was carefully perused. This Forum, having considered the pleadings, evidence, and submissions of the parties, proceeds to frame the following determinative questions for adjudication:*
 - (i) *Whether the physical assault alleged by the Complainant, including acts of beating, tearing of clothes, causing of injuries, and destruction of property, is established on the balance of probabilities on the basis of evidence on record?*
 - (ii) *Whether the verbal conduct attributed to the Accused during the incident of 25-11-2025 falls within the definition of "harassment" as contemplated under Section 2(h)(ii) of the Protection Against Harassment of Women at the Workplace Act, 2010, so as to constitute gender-based discrimination creating a hostile or offensive work environment?*
 - (iii) *Whether the matrimonial relationship between the parties precludes the applicability of the Act to the conduct in question?*
10. *It is a settled principle that proceedings before this Forum are governed by the standard of balance of probabilities. The Complainant is required to establish her case on this standard, and it is within this framework that the evidence on record is to be evaluated. The two limbs of the Complainant's case - physical violence and verbal abuse - are examined separately below, as they rest on materially distinct bodies of evidence.*
11. *The Complainant's case on the issue of physical assault rests on the following evidence: her own testimony as PW-1; the testimonies of PW-2 (Ms. Iqra) and PW-3 (Mr. Muhammad Irfan), both of whom are colleagues and are stated to have been present in the office at the relevant time; photographs stated to have been taken of the Complainant's injuries; and the application filed to the police on 25-11-2025. The Accused, as DW-1, denied all allegations of physical assault and contended that no violence of any kind occurred.*
12. *Upon careful examination of the testimonies of PW-2 and PW-3, it is observed that neither witness corroborated the occurrence of physical assault. PW-2 (Ms. Iqra), under cross-examination, deposed that she heard voices coming from the Complainant's office and proceeded, along with her colleague Mr. Irfan, to move*

away from the office, on the ground that it appeared to be a matter between husband and wife. The following has been reproduced below:
"When I heard the loud voices, I along with my colleague Irfan went away from the office, because it was a matter between spouses."

13. PW-2 specifically admitted that she did not witness the breaking of glass or other articles; *"It is correct that breaking of glass and other articles in the office were not seen by me."*

14. That she did not observe any injuries on the Complainant when she subsequently met her; *"When I met the Complainant, she was not injured."*

15. PW-3 (Mr. Muhammad Irfan), under cross-examination, similarly deposed that he did not see the torn clothes of the Complainant after the incident; that he did not see the Complainant in an injured condition; that he did not see the Accused beating the Complainant; and that he did not see the Accused breaking any articles in the office:

"It is incorrect to suggest that I saw torn clothes of the Complainant. I also did not see her in injured condition. I didn't see the Accused beating the complainant. I did not see the Accused breaking the articles in the office due to intervening partition."

16. The testimony of both PW-2 and PW-3 thus does not support the Complainant's allegations of physical assault, causing of injuries, tearing of clothes, or destruction of property. On the contrary, both witnesses denied having observed any of these acts.

17. It is also noteworthy that the Complainant alleged that the entire episode of physical torture took place in front of several witnesses; however, no other staff member was produced by the Complainant in support of her case. The video of the incident, which the Complainant stated was recorded by her colleague Mr. Tayyab Hayat, was not produced and the said person was not examined as a witness. The photographs of the alleged injuries were stated to have been taken from the Complainant's sister's mobile phone; however, her sister was admittedly not present at the place of occurrence and was also not produced as a witness.

18. *Crucially, no medical examination was conducted by the Complainant, and no contemporaneous medical record was produced before this Forum. The Complainant has not explained this omission, particularly given that her case is one of brutal assault causing visible injuries including bruises and swelling on her face, head, and arms. Medical corroboration, though not an absolute prerequisite, assumes considerable weight in a case of this nature and its absence significantly undermines the evidentiary foundation of the physical assault allegation.*
19. *Furthermore, the police, upon being approached by the Complainant on the very day of the incident, declined to register an FIR and instead categorized the episode as a domestic dispute involving a verbal exchange between spouses. The police initiated preventive proceedings under Sections 107/150 Cr.P.C. Significantly, a compromise statement was recorded before the police in which the parties reportedly resolved the matter. While this Forum is not bound by the categorization made by the police, the absence of any police finding of injury or visible evidence of assault on the date of occurrence is a relevant circumstance.*
20. *It is also relevant that the Complainant admitted, during the course of proceedings, that she did not have access to the CCTV footage of the incident from the Ministry's surveillance systems. No application was made to compel the production of CCTV footage, nor was any explanation offered for this omission, despite the Complainant's case being that the entire assault took place within official premises during working hours.*
21. *In these circumstances, the allegations relating to physical assault, causing of bodily injuries, repeated beating with a shoe, twisting of the arm, tearing of clothes, and destruction of office furniture are not substantiated through sufficient, independent, and cogent evidence and, therefore, cannot be held to be established even on the standard of balance of probabilities. Therefore, it is accordingly answered in the negative.*
22. *Notwithstanding the above finding on physical assault, the record discloses material evidence pertaining to the verbal conduct of the Accused during the incident of 25-11-2025. The testimony of PW-2 and PW-3, while not supportive of*

the physical assault allegations, is consistent and unrebutted on the question of verbal conduct.

23. *PW-2, under examination, deposed that she heard the Accused use the words "badtameez aurat, apni aankhein neeche karo" directed at the Complainant. PW-3 similarly acknowledged the same. This evidence has not been effectively contradicted or rebutted by the Accused in his defense. The Accused admitted his presence in the Complainant's office on the relevant day. He also acknowledged that a verbal exchange took place between the parties, although he characterized it as a purely domestic matter.*
24. *Further, on record, is a compromise statement recorded before the police in which the Accused acknowledged that an incident had taken place between the parties and recorded an assurance that such an incident would not be repeated in the future. While such a compromise does not, in itself, conclusively determine the nature or extent of the incident, the acknowledgment of occurrence coupled with an undertaking against repetition constitutes a relevant admission and is corroborative of the fact that conduct involving the Accused, beyond a mere neutral exchange, did take place at the workplace.*
25. *This Forum is required to assess whether the verbal conduct thus established falls within the ambit of Section 2(h)(ii) of the Act, which extends to gender-based discrimination resulting in a hostile, intimidating, or offensive working environment. In this regard, this Forum draws guidance from the judgment of the Hon'ble Justice Mansoor Ali Shah in **Muhammad Din v. Province of Punjab (PLD 2025 SC 354)**, wherein it was held that harassment at the workplace is fundamentally about power - the exercise of authority, dominance, and control over another individual - and is not confined solely to conduct of a sexual nature. Harassment, in its broader statutory sense, encompasses conduct designed to demean, subordinate, or intimidate an individual on the basis of their gender within a professional setting.*
26. *The expression "badtameez aurat, apni aankhein neeche karo", when examined in its context, is not a neutral or innocuous statement. It is a gendered command - an assertion of dominance over a female colleague in a professional setting.*

The phrase specifically targets the Complainant's identity as a woman: it employs the word "aurat" (woman) as a pejorative qualifier and issues an instruction that is demeaning to her dignity as a public servant. The use of such language by a male colleague within official premises, in the presence of subordinate staff, during working hours, constitutes conduct that denigrates the dignity of the Complainant on account of her gender and contributes to the creation of a hostile, intimidating, and offensive work environment within the meaning of Section 2(h)(ii) of the Act.

- 27. This Forum also notes that the power-dynamic analysis is relevant to the present facts. The incident occurred within the Complainant's own office, before her subordinate staff. The effect of the Accused's conduct was not merely to offend but to publicly humiliate and subjugate the Complainant in her own professional space - an act with a direct and demonstrable impact upon her authority, dignity, and ability to work in a safe and respectful environment. Such conduct, irrespective of the matrimonial relationship between the parties, falls squarely within the legislative purpose of the Act.*
- 28. Applying the balance of probabilities standard, this Forum is satisfied that the Complainant has established, through the consistent and corroborated testimonies of PW-2 and PW-3, read together with the Accused's own admission before the police, that the Accused engaged in verbal conduct of a derogatory and gendered nature within the workplace of the Complainant during official hours, thereby creating a hostile and offensive working environment. Therefore, it is accordingly answered in the affirmative.*
- 29. The Accused's contention that the incident constitutes a purely domestic or matrimonial matter, and is therefore outside the jurisdiction of this Forum, is not tenable in law. The Act does not exclude from its ambit conduct occurring between spouses who are also co-workers within the same organization. The legislative framework of the Act is premised upon the workplace as the relevant locus, not the personal relationship between the parties. Where the impugned conduct occurs within official premises, during working hours, and in the*

presence of office staff, it bears a direct and material nexus with the workplace and its environment.

30. *The existence of a matrimonial relationship does not create an immunity from the provisions of the Act in respect of workplace conduct. To hold otherwise would be to create an unwarranted exception that finds no basis in the text or the legislative intent of the Act and would effectively render female employees in dual-employment marriages without protection against workplace misconduct by their spouses. This is accordingly answered in the negative, and the contention of the Accused on this point is rejected.*
31. *Similarly, the reliance of the Accused on the compromise before the police is misplaced in the present context. Any such compromise, even if accepted arguendo, does not extinguish or override the statutory protection afforded under the Harassment Act, nor does it bar this competent forum from examining the conduct in question. The proceedings before this Forum are independent and distinct from criminal or quasi-criminal proceedings before the police.*
32. *In view of the foregoing analysis, the following findings are recorded:*
 - (i) *The allegations of physical assault, causing of bodily injuries, repeated beating with a shoe, twisting of the arm, tearing of clothes, destruction of office furniture, and disconnection of telephone lines have not been established on the balance of probabilities. The oral testimony of the Complainant on this aspect stands contradicted by the very witnesses produced by her (PW-2 and PW-3), is unsupported by any medical record, and is not corroborated by any independent evidence.*
 - (ii) *The verbal conduct of the Accused — specifically the use of the expression "badtameez aurat, apni aankhein neeche karo" directed at the Complainant within her official premises, in the presence of subordinate staff, during working hours — has been established on the balance of probabilities through the consistent testimony of PW-2 and PW-3, read together with the acknowledgment of occurrence in the compromise statement before the police. Such conduct constitutes gender-based discrimination creating a hostile and offensive working environment within the meaning of Section 2(h)(ii) of the Act.*

(iii) The matrimonial relationship between the parties does not preclude the applicability of the Act to workplace conduct, and the compromise before the police does not extinguish proceedings before this Forum.

33. Consequently, the complaint is partially accepted to the extent of verbal abuse constituting gender-based discrimination and the creation of a hostile and offensive work environment, as contemplated under Section 2(h)(ii) of the Act. The complaint is not accepted insofar as it relates to allegations of physical assault, causing of injuries, and associated acts of destruction.

34. In the circumstances of the case and having regard to the nature and gravity of the established misconduct, it is directed that the Accused be subjected to a minor penalty of withholding of one annual increment in accordance with the applicable service rules. In addition, considering the impact of the Accused's conduct upon the dignity of the Complainant as a female employee and public servant, a compensation of Rs.50,000/-, payable to the Complainant, as permissible under the relevant statutory framework, is also imposed.

35. The matter is accordingly referred to the competent authority for implementation of the directions contained herein in accordance with law.

File be consigned.

**FAUZIA VIQAR
FEDERAL OMBUDSPERSON**